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## DEPARTMENT OF STATE

## Memorandum of Conversation

DATE: February 21, 1959

SUBJECT: Berlin and Related Problems

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Authority NND 877418

By AR Date 10/2/87

PARTICIPANTS: Mr. Robert Murphy - G-5  
 Wilhelm Grewe, Ambassador to the Federal Republic of Germany  
 Mr. Martin J. Hillenbrand - GER

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S-1 (cc-2A-delivered to the Secretary on 2/21/59-MJH)

Ambassador Grewe called at his request on Mr. Murphy. He said that the German Ambassador in Moscow, Dr. Hans Kroll, had reported as having heard from a "completely reliable source" Soviet Deputy Foreign Minister Zorin's initial reaction to the Western notes of February 16. Zorin was supposed to have commented that the Western proposal for a conference would probably be accepted by the Soviets, but it would first be necessary to consult GDR leaders to see whether they would insist on full participation at such a conference. Should they do so, the Soviets would, of course, be willing to grant the same status to the Federal Republic.

Ambassador Grewe noted that, on the basis of this report, Bonn was somewhat disturbed at the prospect of having GDR officials as full participants at a conference. This would mean virtual acceptance of the Soviet proposal of January 10 to have talks on a peace treaty with representatives of the two German states having full status and rights. Mr. Murphy commented that no one was thinking that we were going to agree to participate in a conference based on the Soviet peace treaty proposals of January 10. Dr. Grewe added that, in his opinion, it was inconclusive that acceptance of full participation by the East Germans necessarily meant acceptance of discussions with the Soviets on the basis of their January 10 proposals. In any event, he would be interested in Mr. Murphy's reaction to the possibility of full East German participation in the type of meeting proposed by the Western Powers.

Mr. Murphy said we had certainly not been thinking along these lines. He noted

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noted that the Zorin statement had only been indirectly received and could scarcely be considered a formal demarche. Dr. Grewe said that, although a final decision had not yet been made, his Government was not inclined to accept full GDR participation but apparently feared that the other Western Powers might be inclined to give in if the Soviets made this a breaking point. He wondered about the attitude of the United States. Mr. Murphy responded that he could, of course, only speak personally at this point. We obviously did not want to get ahead of the West Germans on this and, as it were, appear more German than the Germans. However, he could not favor full GDR participation at a conference. This seemed to be a foxy Soviet maneuver. We would obviously have to consider the problem which would be created by Soviet insistence, but he could not imagine the Secretary saying we must yield to a condition like this. We were in a strong position publicly on the issue: we had shown our willingness to negotiate and had agreed to let German advisers be invited for consultation.

Dr. Grewe commented that, speaking purely personally, he did not believe that even full GDR participation of the kind proposed would be a major catastrophe as far as the non-recognition policy vis-a-vis the GDR was concerned. People had gotten used to the idea of talks with non-recognized parties as in United States discussions at Geneva and Warsaw with the Red Chinese. He felt that a difficulty with the non-recognition policy has been that it had been extended too far so that every contact with the GDR was interpreted as raising an issue of principle. The Western Powers should be more flexible in this regard. He had expressed this general point of view in a memorandum which he had sent to Bonn two weeks ago.

Mr. Murphy said it was necessary to distinguish our talks with the Red Chinese at the Ambassadorial level with full GDR participation at a meeting of Foreign Ministers. The GDR was purely a satellite of the Soviet Union. Treatment of the GDR on an equal basis at a conference seemed to him unacceptable and politically unwise. Dr. Grewe indicated he had not specifically recommended such treatment for the GDR, but had merely pointed to the need to balance this possibility against the Western desire for a conference. He said he would report Mr. Murphy's initial personal reaction to Bonn as unfavorable to full GDR participation.

Mr. Murphy said that he was more interested in the substance of Western policy and wondered whether there were any new thoughts on this from Bonn. After a discussion of a report received from the German Ambassador in Moscow of a conversation late in December between him and United States Ambassador Thompson, Dr. Grewe offered to disclose, on a confidential basis, some of his personal thinking on the possible contents of a Western substantive position in a meeting with the Soviets. He believed that the Western Powers should try to find some formula to place on the Soviets the responsibility for the continuing stationing of outside forces in Germany and Eastern Europe. There was a certain weakness in the traditional Western position in this respect. Mr. Murphy commented that we did not want to slam the door on troop redeployment, but we must have a basic security structure in mind which would protect our fundamental interests. Dr. Grewe said that the Western Powers could demand that, in return for Western troop withdrawals, the Soviets withdraw from all of Eastern Europe and have free elections in this area. This would not be acceptable to the Soviets but would shift the burden of responsibility for refusal on to them. This would satisfy German public opinion—which,

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of course, did not like the idea of a perpetual stationing of foreign forces on German soil—and also have good effects in the satellites and on satellite emigré groups abroad.

As to the reunification problem, Dr. Grewe continued, the Western Powers must do something to counter attacks on their policy for placing such priority on free elections and thus, allegedly, dooming it to failure from the outset. He did not like the idea of confederation, and felt that the term implied too much and was dangerous. However, it might be possible to discuss another preliminary stage before reunification. It could perhaps be proposed that the Federal Republic declare its willingness to enter into discussions on reunification with the East German authorities on the following conditions:

- a.) full restoration of human rights and political freedom in the Soviet zone as stipulated in Article 14 of the Soviet draft peace treaty;
- b.) a firm guarantee of the independence of courts in the Soviet zone;
- c.) admission and free functioning in the Soviet zone of all political parties allowed in West Germany without any super-organ such as the National Front;
- d.) some sort of general consent to the idea of reunification to avoid the impression that this was being abandoned as a goal and that a second German state was being recognized.

Dr. Grewe said that to attempt to achieve these conditions by demanding free elections would be impracticable. Instead it would be indicated to the Soviets that they could decide how to do so. But it would be left to the judgment of the Federal Republic to say that the aforementioned state of affairs had been achieved. Dr. Grewe added that the proposed declaration stipulating the four conditions, could be made unilaterally by the Federal Republic, or on its behalf by the Western Powers at the conference. Either side would be free to withdraw from the arrangements if it felt the other side were regressing. It could also be proposed that the United Nations verify the actual state of affairs in both East and West Germany in an observer capacity but not binding on governments. Every arrangement would, of course, be conditioned on the final consent of the Four Powers.

Such a proposal, according to Dr. Grewe, would counter demands for talks between the East and West Germans and would not require paying the price of recognition in advance. Moreover, if they were so minded, the Soviets could gradually permit liberalization without need for junking the present regime at once. The proposal could not therefore be criticized as requiring a complete political surrender by the Soviets. Reference could also be made in this connection to Article 16 of the Soviet draft peace treaty, but this would require care in view of its reference to revanchist parties.

Mr. Murphy commented that Ambassador Grewe's proposals were interesting and we would think about them. He had a slight reservation about the possible role of the United Nations. Much would depend on the composition of any body which it might send.

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Coming back to the security field, Dr. Grewe referred to the French-proposed question in the questionnaire prepared by the Four Power Working Group raising the possibility of a special status in NATO for Germany. Although it was not certain that this would work, it was an interesting suggestion and should be given careful consideration. As a matter of fact it was similar to an idea advanced by Dr. Grewe himself in an article in Aussenpolitik back in 1952 at the time of the conclusion of the EDC Treaty. The concept follows an old historical line of German policy going back to the middle centuries. After her entry into the League of Nations, Germany concluded the Treaty of Berlin with the Soviets. A special protocol had been signed in connection with her entry into the League providing that German territory could not be used for aggressive purposes. The situation then was somewhat analogous to now, since the Soviets regarded the League of Nations as essentially a Western alliance directed against herself. The Soviet Union opposed German entry into the League of Nations on the ground that it would open German territory to League forces. The assurance to the Soviets involved in this special arrangement for Germany was based on the Stresemann policy at the time.

Mr. Murphy commented that, whenever you qualify participation in an alliance, you open the door for each member thereof to ask for special exceptions in its case. The concept of mutual defense is based on the principle that an attack against one is an attack against all. We would want to study the French proposal which obviously went to the heart of the problem. It seemed likely that the Soviets were seriously concerned with the security aspect of the situation, seeing a risk in German rearmament combined with U. S. forces.

Dr. Grewe said he did not feel the Soviets could accept any such proposal of a qualified status for Germany in NATO. Therefore it was essentially a device for obtaining the propaganda initiative. He was not sure himself that it did not go too far, but he could see that it would have a great deal of appeal in Germany as it had at the time of Stresemann.

In response to a query by Mr. Murphy, Dr. Grewe said that nothing new had been received indicating the Chancellor's thinking since the visit of the Secretary of State. He referred to the possibility that the Soviets might propose an early meeting date for the Foreign Ministers to take advantage of the Secretary's illness. Mr. Murphy said he did not believe they would do this. He noted recent suggestions that the Soviets might go ahead and sign a peace treaty with the GDR. Dr. Grewe said he did not think they would advance the date for such signing, which according to information in the hands of the Federal Republic, was scheduled for June 22, the anniversary of the invasion of the Soviet Union by Nazi Germany. On the subject of a separate peace treaty, Dr. Grewe noted that he thought it might be useful to check whether the Soviets had publicly committed themselves not to sign such a separate peace treaty with Germany. In this connection he mentioned the treaties establishing the British-Soviet alliance and the French-Soviet alliance during the war, as well as a declaration issued in 1941.

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